

Michael Faillace & Associates, P.C.

Employment and Litigation Attorneys

60 East 42nd Street, Suite 4510
New York, New York 10165

Telephone: (212) 317-1200
Facsimile: (212) 317-1620

jmccartney@faillacelaw.com

June 23, 2021

VIA ECF

District Judge

Judge Mary Kay Vyskocil
Thurgood Marshall
United States Courthouse
40 Foley Square, Courtroom: 706
New York, NY 10007

Re: Gervacio Angeles et al v. 180 Express Deli Corp. et al
CASE #: 1:19-cv-08809-JPO

Your Honor:

This office represents Plaintiff. This letter is submitted pursuant to the Court's May 25, 2021 order to advise the Court how Plaintiff intends to proceed against pro se defendant Ali Mohammed. DE 70. Defendant Mohammed was served on October 5, 2019 (DE 10), and default was entered against him on December 4, 2019 (DE 21).

A settlement conference with represented defendant 180 Express Deli Corp. is set before Magistrate Judge Cott for July 14, 2021. Plaintiffs request that that any action as to Defendant Mohammed be held in abeyance until after the settlement conference is held. The plaintiffs can advance that if the case is not settled, they intend to move for default judgment against Defendant Ali, and request a brief period after the settlement conference is held to file a default judgment motion if necessary.

We thank the Court for the time and attention to this matter.

Respectfully submitted,

By: s/James W. McCartney
James W. McCartney, Esq.

Cc: David Schachter, Esq. (via ECF)